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OUR FILE NO.: 247178  
ATTORNEYS FOR PLAINTIFF

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CRISTIAN M. CALLE VALDEZ

Plaintiff,

vs.

WAMMER TRANSPORT, LLC. and  
STEVEN LOUIS MEYER

Defendants

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: UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY

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: CIVIL ACTION NO:

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**CIVIL ACTION**

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**COMPLAINT**

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Plaintiff, Cristian M. Calle Valdez, residing at 495 Main Street, Apt. 191A, in the Township of Orange, County of Essex, State of New Jersey complaining of the defendants, deposes and says:

**JURISDICTION**

1. Plaintiff is a resident of the State of New Jersey domiciled at 495 Main Street Apartment 191A, in the township of Orange, County of Essex State of New Jersey.
2. Defendant Wammer Transport, LLC (hereinafter Wammer), is a foreign corporation having its principal executive office at 153 West Lincoln Street Suite B, in Augusta, Wisconsin and regularly does business within this jurisdiction.
3. Defendant Steven Louis Meyer is a resident of the State at Wisconsin being domiciled at 140 Coitte Road in the Township of Augusta and State of Wisconsin.

4. Jurisdiction arises in this Federal Court pursuant to 28 U.S.C.S. 1132 because plaintiff Cristian Calle Valdez, and defendants Wammer Transport, LLC., and Steven Louis Meyer, are citizens of different states and the matter in controversy exceeds the sum or value of \$75,000 exclusive of interest and costs.
5. Pursuant to 28 U.S.C.S. §1332(a)(1), there is complete diversity in this case.

### **FIRST COUNT**

1. Plaintiff repeats and realleges the facts set forth in the jurisdictional paragraphs as if fully set forth herein.
2. On or about April 5, 2016, the defendant Steven Louis Meyer (hereinafter Meyer) was the operator of a tractor trailer proceeding in a northbound direction on Route 23 in Wayne, New Jersey.
3. On or about April 5, 2016 defendant Wammer Transport, LLC. was the owner of a tractor trailer that was traveling north on Route 23, in Wayne, New Jersey.
4. On or about April 5, 2016 plaintiff Cristian Calle Valdez was a passenger in a vehicle operated by Adil Gega and owned by Art Construction that was stopped in the northbound lane of Route 23 in front of the vehicle being operated by defendant Meyer and owned by defendant Wammer.
5. At the aforementioned time and location defendant Meyer operated the motor vehicle owned by defendant Wammer Transport LLC, in such a careless, reckless and negligent manner, so as to cause it to forcefully strike the vehicle in which plaintiff was a passenger, causing serious injuries to plaintiff Christian Calle Valdez.

WHEREFORE plaintiff Christian Calle Valdez demands judgment against defendants Wammer Transport LLC. and Steven Louis Meyer their agents, servants, and employees jointly, severally and alternatively for damages, interest, and costs of suit.

## **SECOND COUNT**

1. Plaintiff repeats and realleges each and every allegation of the first count of this complaint as if fully set forth at length herein.
2. At all times mentioned herein, the vehicle operated in a negligent manner by defendant Meyer was being operated while defendant Meyer was in the course of his employment for and on behalf of defendant Wammer Transport LLC.
3. The negligence of defendant Meyer in the operation of the motor vehicle which caused this accident occurred during the course and scope of his employment for defendant Wammer Transport LLC.
4. Defendant Wammer is liable to the plaintiff for the negligent acts of its employee Meyer pursuant to the principles of “respondeat superior”.

WHEREFORE plaintiff Christian Calle Valdez demands judgement against defendants Wammer Transport LLC., their agents, servants, and employees jointly, severally and defendant Steven Louis Meyer alternatively for damages, interest, and costs of suit.

## **THIRD COUNT**

1. Plaintiff repeats and realleges each and every allegation of the first two counts of this complaint as if fully set forth at length herein.
2. At the time of the accident of April 6, 2016 which resulted in severe injuries to plaintiff, defendant Meyer was not qualified to operate the motor vehicle he was operating in a reasonably safe manner and in accordance with the applicable regulations of the Federal Motor Carrier Safety Act.
3. Defendant Wammer negligently entrusted the use and operation of its motor vehicle to an incompetent driver, defendant Meyer, who subsequently negligently operated that vehicle.
4. As a direct and proximate result of the negligent entrustment of this motor vehicle to

defendant Meyer, defendant Meyer operated said motor vehicle in a careless, reckless and negligent manner so as to cause the vehicle to forcefully strike the vehicle in which plaintiff was a passenger, causing serious injuries to plaintiff.

5. As a direct and proximate result of the aforesaid negligence of the defendant's, the plaintiff, Cristian Calle Valdez, suffered severe and permanent injuries, and in the future will suffer great pain and emotional distress, was required to curtail his usual activities and pursuits and thereby incurred lost wages.

WHEREFORE plaintiff Christian Calle Valdez demands judgement against defendants Wammer Transport LLC., their agents, servants, and employees jointly, severally and alternatively for damages, interest, and costs of suit.

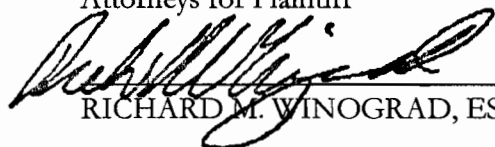
**JURY DEMAND**

Plaintiff hereby demands a jury in this matter with respect to all claims permitted to be heard.

**DESIGNATION OF TRIAL COUNSEL**

The firm of Ginarte, Gallardo, Gonzalez & Winograd, L.L.P., attorneys for Plaintiff Cristina Calle Valdez, hereby appoint Richard M. Winograd, Esq., as trial counsel.

GINARTE, GALLARDO  
GONZALEZ & WINOGRAD, LLP.  
Attorneys for Plaintiff

  
RICHARD M. WINOGRAD, ESQ.

DATE: May 26, 2017

**LOCAL CIVIL RULE 11.2 CERTIFICATION**

I hereby certify that to the best of my knowledge the matter is controversy is not the subject of any other action pending in this Court or any other court, or of any pending arbitration or administrative proceedings.